

## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/927,731	08/10/2001	Richard Allen Hayes	PT0043 US NA	7194	
23906	7590 03/12/2003				
	E I DU PONT DE NEMOURS AND COMPANY LEGAL PATENT RECORDS CENTER			EXAMINER	
BARLEY M	BARLEY MILL PLAZA 25/1128 4417 LANCASTER PIKE		ACQUAH, SAMUEL A		
WILMINGTON, DE 19805			ART UNIT	PAPER NUMBER	
			1711		

DATE MAILED: 03/12/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
	09/927,731	HAYES ET AL.			
Office Action Summary	Examiner	Art Unit			
	SAMUEL A. ACQUAH	1711			
The MAILING DATE of this communication app Period for Reply	pears on the cover shee	t with the correspondence address			
A SHORTENED STATUTORY PERIOD FOR REPL' THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.	36(a). In no event, however, ma	y a reply be timely filed			
If the period for reply specified above is less than thirty (30) days, a reply lif NO period for reply is specified above, the maximum statutory period versions are ply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).  Status	viii apply and will expire SIX (6)	MONTHS from the mailing date of this communication.			
<u> </u>					
5 \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \					
	is action is non-final.				
3) Since this application is in condition for alloward closed in accordance with the practice under a Disposition of Claims	ince except for formal Ex parte Quayle, 1935	matters, prosecution as to the merits is C.D. 11, 453 O.G. 213.			
4)⊠ Claim(s) <u>1-4 and 6-12</u> is/are pending in the ap	plication.				
4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.					
6)⊠ Claim(s) <u>1-4 and 6-12</u> is/are rejected.					
7)☐ Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and/or	election requirement				
Application Papers	and a substitution of the				
9)☐ The specification is objected to by the Examiner					
10)☐ The drawing(s) filed on is/are: a)☐ accept	ted or b)⊡ objected to b	y the Examiner.			
Applicant may not request that any objection to the	drawing(s) be held in ab	eyance. See 37 CFR 1.85(a).			
11) The proposed drawing correction filed on	is: a)□ approved b)□	disapproved by the Examiner.			
If approved, corrected drawings are required in repl					
12)☐ The oath or declaration is objected to by the Exa	miner.				
Priority under 35 U.S.C. §§ 119 and 120					
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).					
a) ☐ All b) ☐ Some * c) ☐ None of:					
1. Certified copies of the priority documents have been received.					
2. Certified copies of the priority documents have been received in Application No					
3. Copies of the certified copies of the priority documents have been received in this National Stage					
* See the attached detailed Office action for a list of	eau (PCT Rule 17.2(a)) f the certified copies no	t received.			
14) ☐ Acknowledgment is made of a claim for domestic	priority under 35 U.S.C	2. § 119(e) (to a provisional application).			
a) ☐ The translation of the foreign language provi 15)☐ Acknowledgment is made of a claim for domestic	sional application has	been received			
Attachment(s)					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.	4) Interview 5) Notice of 6) Other:	v Summary (PTO-413) Paper No(s) f Informal Patent Application (PTO-152)			
S. Patent and Trademark Office TO-326 (Rev. 04-01) Office Actio	on Summary	Part of Paper No. 9			

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## **DETAILED ACTION**

1. The Final Rejection of the previous Office Action id hereby rescinded in view of the newly discovered prior arts discussed below. Also, the previously indicated allowability of claim 5 is withdrawn in view of said prior arts as discussed below.

- 2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
- 3. Claims 1-4 and 6-12 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Murata et al '236.

The cited prior art discloses a resin composition for coating, and comprising a copolyester having a reduced viscosity greater than 0.3. The copolyester is soluble or dispersible in a solvent consisting essentially of at least one solvent of cyclohexanone and isophorone. The polyester is derived from and acids and glycols such as claimed. See columns 2 and EXAMPLES 1 in column 8 and EXAMPLE C in TABLE 1. It is the Examiner's position that the prior art composition and method of use have features and characteristics as claimed.

4. Claims 1-4 and 6-12 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over JP 58210960 and JP 59084967.

The abstracts of the cited prior arts disclose methods and compositions for polyesters derived from acids and glycols in amounts as claimed. There is no disclosure of the polyester being insoluble in water and soluble in polar organic solvents; however, the prior art polyesters are being disclosed as being useful for coating electric parts,

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interior of cars, furniture, etc. Thus, it is the Examiners position that the claimed insolubility or solubility would be inherent in the prior art resins in view of the disclosed used, or at least would have been obvious to one of ordinary skill in the art.

- 5. Other references listed on PTO-1449 have been made part of the record.
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAMUEL A. ACQUAH whose telephone number is 703-308-2436. The examiner can normally be reached on M-TH, FRIDAYS OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES SEIDLECK can be reached on 703-308-2462. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7718 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-0661.

S.A.A. March 10, 2003

SAMURE A. ACQUAH PRIMARY EXAMINER GROUP 12:01